

60-DAY NOTICE OF VIOLATION

SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)

DATE: November 20, 2007

TO: Macon F. Brock Jr., President – Dollar Tree Distribution, Inc.
Robert H. Rudman, Chief Executive Officer – Dollar Tree Merchandising
Robert H. Rudman, Chief Executive Officer – Greenbrier International, Inc., a subsidiary of Dollar Tree Stores, Inc.
California Attorney General's Office;
District Attorney's Office for 58 Counties; and
City Attorneys for San Francisco, San Diego, San Jose, Sacramento and Los Angeles

FROM: Anthony E. Held, Ph.D., P.E.

I. INTRODUCTION

My name is Anthony E. Held. I hold a Doctor of Philosophy degree in Environmental Engineering and I am a registered professional engineer in the state of California. I am a citizen of the State of California acting in the interest of the general public. I seek to promote awareness of exposures to toxic chemicals in products sold in California and, if possible, to improve human health by reducing hazardous substances contained in such items. This Notice is provided to the parties listed above pursuant to California Health & Safety Code §25249.6 *et seq.* ("Proposition 65"). As noted above, notice is being provided to the violators, Dollar Tree Distribution, Inc., Dollar Tree Merchandising and Greenbrier International, Inc., a subsidiary of Dollar Tree Stores, Inc. (the "Violators"). The violations covered by this Notice consist of the product exposures, routes of exposures, and types of harm potentially resulting from exposure to the toxic chemical ("listed chemical") identified below, as follows:

Product Exposure:	See Section VI. Exhibit A
Listed Chemical:	Di(2-ethylhexyl)phthalate
Routes of Exposure:	Ingestion, Dermal
Types of Harm:	Birth Defects and Other Reproductive Harm

II. NATURE OF ALLEGED VIOLATION (PRODUCT EXPOSURE)

The specific type of product that is causing consumer and occupational exposures in violation of Proposition 65, and that is covered by this Notice, is listed under "Product Category/Type" in Exhibit A in Section VI below. All products within the type covered by this Notice shall be referred to hereinafter as the "products." The Violators' sales of these products dating back as far as November 20, 2006 are subject to this notice. As a result of the sales of these products, exposures to the listed chemical have been occurring without clear and reasonable warnings as required by Proposition 65. Without proper warnings regarding the toxic effects of exposures to the listed chemical, resulting from contact with the products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the toxic chemical from the reasonably foreseeable use of the products.

California citizens, through the act of buying, acquiring or utilizing the products, are exposed to the listed chemical. By way of example but not limitation, exposures occur when infants and children place the product, or a portion thereof, into their mouth, or otherwise suck, lick, teethe and/or bite the product. In addition, exposures occur through direct dermal contact with the products, and may continue to occur for a significant period after the products are removed from the skin. These activities cause infants and children to be exposed directly through migration of the listed chemical from the products. People likely to be exposed are infants and children.

III. CONTACT INFORMATION

Please direct all questions concerning this notice to me at the following address:

Anthony E. Held, Ph.D., P.E.
c/o David Lavine
Hirst & Chanler LLP
2560 Ninth Street
Parker Plaza, Suite 214
Berkeley, CA 94710
Telephone: (510) 848-8880

IV. PROPOSITION 65 INFORMATION

For general information concerning the provisions of Proposition 65, please feel free to contact the Office of Environmental Health Hazard Assessment's ("OEHHA") Proposition 65 Implementation Office at (916) 445-6900. For the Violators' reference, I have attached a copy of "Proposition 65: A Summary" which has been prepared by OEHHA.

V. ADDITIONAL NOTICE INFORMATION

THIS INFORMATION IS NOT REQUIRED TO BE PROVIDED UNDER CAL. CODE REGS., TITLE 22 §12903(b)(4).

Identified below is a specific example of a product recently purchased and witnessed as being available for purchase or use in California that is within the category or type of offending product covered by this Notice. Based on publicly available information, the retailers, distributors and/or manufacturers of the example within the category or type of product are also provided below I believe and allege that the sale of the offending products also has occurred without the requisite Proposition 65 "clear and reasonable warnings" at one or more locations and/or via other means including, but not limited to, transactions made over-the-counter, business-to-business, through the internet and/or via a catalog by the Violator and other distributors and retailers of the manufacturer.

<i>Product*</i>	<i>Retailer(s)</i>	<i>Manufacturer(s)/Distributor(s)</i>
Luau Inflatable Monkey, #917843 (#6 39277 17843 5)	Dollar Tree Stores, Inc. Sacramento County, Northern California	Dollar Tree Distribution, Inc.; Dollar Tree Merchandising; Greenbrier International, Inc., a subsidiary of Dollar Tree Stores, Inc.

VI. EXHIBIT A

<i>Product Category/Type</i>	<i>Such As*</i>	<i>Toxins</i>
Inflatable Vinyl Toys/Children's Items containing Di(2-ethylhexyl)phthalate	Luau Inflatable Monkey, #917843 (#6 39277 17843 5)	Di(2-ethylhexyl)phthalate

*The specifically identified example of the type of product which is subject to this Notice is for the recipients' benefit to assist in their investigation of, among other things, the magnitude of potential exposure to the listed chemical from other items within the product category/type listed in Exhibit A. It is important to note that this example is not meant to be an exhaustive or comprehensive identification of each specific offending product of the type listed under "Product Category/Type" in Exhibit A. Further, it is this citizen's position that the alleged Violators are obligated to continue to conduct in good faith an investigation into other specific products within the type or category described above that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the notice recipients' custody or control) during the relevant period so as to ensure that the requisite toxic warnings are provided to California citizens prior to purchase.

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; my business address is 2560 Ninth Street, Parker Plaza, Suite 214, Berkeley, CA 94710.

On November 20, 2007, I served the following documents:

**60-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH
HEALTH & SAFETY CODE §25249.7(d);**

PROPOSITION 65: A SUMMARY;

CERTIFICATE OF MERIT; AND

**CERTIFICATE OF MERIT ATTACHMENTS (SERVED ONLY ON THE
ATTORNEY GENERAL)**

on the Violators at the addresses listed below via First Class Certified Mail through the United States Postal Service by placing a true and correct copy in a sealed envelope, addressed to each Violator and providing the envelope to a United States Postal Service Representative:

Macon F. Brock Jr., President
Dollar Tree Distribution, Inc.
500 Volvo Parkway
Chesapeake, VA 23320

Robert H. Rudman, CEO
Dollar Tree Merchandising
500 Volvo Parkway
Chesapeake, VA 23320

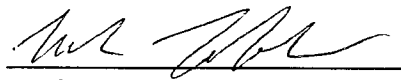
Robert H. Rudman, CEO
Greenbrier International, Inc., a subsidiary
of Dollar Tree Stores, Inc.
500 Volvo Parkway
Chesapeake, VA 23320

as well as providing copies of the notice to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to each party listed below, and served as follows:

<i>Via 2nd Day Air Service by placing such envelope in a Federal Express Drop-Off Box:</i>	The Attorney General of the State of California;
<i>By placing each envelope in a United States Postal Service mailbox, first class postage prepaid:</i>	The District Attorney for Each of the 58 counties in California; and The City Attorney for Los Angeles, San Diego, San Jose, San Francisco and Sacramento;

A list of addresses for each of these recipients is attached.

Executed on November 20, 2007, at Berkeley, California.


Mark Langford

CERTIFICATE OF MERIT

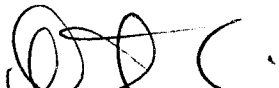
Health and Safety Code Section 25249.7(d)

I, David Lavine, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice have violated Health and Safety Code §25249.6 by failing to provide clear and reasonable warnings.
2. I am the attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the ***alleged*** exposure to the listed chemical that is the subject of this action.
4. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including information identified in Health and Safety Code §25249.7(h)(2) (*i.e.*, (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.)

Dated:

Nov. 19, 2007



David Lavine

SERVICE LIST

The Honorable Tom Orloff Alameda County District Attorney 1225 Fallon Street, Room 900 Oakland, CA 94612	The Honorable Robert Burns Lassen County District Attorney 220 S. Lassen Street, Ste. 8 Susanville, CA 96130	The Honorable John Sarsfield San Benito County District Attorney 419 4 th Street, Second Floor Hollister, CA 95203	The Honorable Gregg Cohen Tehama County District Attorney PO BOX 519 Red Bluff, CA 96080
The Honorable William Richmond Alpine County District Attorney 270 Laramie Street, PO BOX 248 Markleeville, CA 96120	The Honorable Steve Cooley Los Angeles County District Attorney 210 West Temple Street Los Angeles, CA 90012	The Honorable Michael Ramos San Bernardino County District Attorney 316 N. Mountain View Avenue San Bernardino, CA 92415	The Honorable Michael B. Harper Trinity County District Attorney PO Box 310 Weaverville, CA 96093
The Honorable Todd Riebe Amador County District Attorney 708 Court Street, #202 Jackson, CA 95642	The Honorable Ernest Licalsi Madera County District Attorney 209 West Yosemite Avenue Madera, CA 93637	The Honorable Bonnie Dumanis San Diego County District Attorney 330 W. Broadway Street, Suite 1320 San Diego, CA 92101	The Honorable Phillip Cline Tulare County District Attorney 221 South Mooney Boulevard, Suite 224 Visalia, CA 93291
The Honorable Michael Ramsey Butte County District Attorney 25 County Center Drive, Administration Building Orville, CA 95965	The Honorable Edward Berberian Marin County District Attorney 3501 Civic Center Drive, Room 130 San Rafael, CA 94903	The Honorable Kamala Harris San Francisco County District Attorney 850 Bryant Street, Room 325 San Francisco, CA 94103	The Honorable Donald Segerstrom, Jr Tuolumne County District Attorney 2 South Green Street Sonora, CA 95370
The Honorable Jeffrey Tuttle Calaveras County District Attorney 891 Mountain Ranch Road San Andreas, CA 95249	The Honorable Robert Brown Mariposa County District Attorney 5101 Jones Street, P.O. Box 730 Mariposa, CA 95338	The Honorable James Willett San Joaquin County District Attorney 222 E. Weber Avenue, 2 nd Floor, Room 202 Stockton, CA 95201	The Honorable Gregory Totten Ventura County District Attorney 800 South Victoria Avenue Ventura, CA 93009
The Honorable John R. Poyner Colusa County District Attorney 547 Market Street Colusa, CA 95932	The Honorable Norman Vroman Mendocino County District Attorney 100 North State Street, G-10 Ukiah, CA 95482	The Honorable Gerald Shea San Luis Obispo County District Attorney 1050 Monterey Street, Room 450 San Luis Obispo, CA 93408	The Honorable David C. Henderson Yolo County District Attorney 301 Second Street Woodland, CA 95695
The Honorable Robert J. Kochly Contra Costa County District Attorney 725 Court Street, 4 th Floor, Rm. 402 Martinez, CA 94553	The Honorable Gordon Spencer Merced County District Attorney 2222 M Street Merced, CA 95340	The Honorable James Fox San Mateo County District Attorney 400 County Center, Third Floor Redwood City, CA 94063	The Honorable Patrick McGrath Yuba County District Attorney 215 Fifth Street Marysville, CA 95901
The Honorable Michael Riese Del Norte County District Attorney 450 H Street Crescent City, CA 95531	The Honorable Jordan Funk Modoc County District Attorney 204 S. Court Street, Room 202 Alturas, CA 96101	The Honorable Thomas Sneddon, Jr. Santa Barbara County District Attorney 1112 Santa Barbara Street Santa Barbara, CA 93101	The Honorable Rockard Delgadillo Office of the City Attorney, Los Angeles 200 North Main Street Los Angeles, CA 90012
The Honorable Gary Lacy El Dorado County District Attorney 515 Main Street Placerville, CA 95667	The Honorable George Booth Mono County District Attorney Old Court House, Main Street Bridgeport, CA 93517	The Honorable George Kennedy Santa Clara County District Attorney 70 West Hedding Street, West Wing San Jose, CA 95110	The Honorable Michael Aguirre Office of the City Attorney, San Diego 1200 Third Avenue, Suite 1620 San Diego, CA 92101
The Honorable Elizabeth Egan Fresno County District Attorney 2220 Tulare Street, #1000 Fresno, CA 93721	The Honorable Dean Filippo Monterey County District Attorney 240 Church Street, #101 Salinas, CA 93901	The Honorable Bob Lee Santa Cruz County District Attorney 701 Ocean Street, Room 200 Santa Cruz, CA 95060	The Honorable Samuel Jackson Office of the City Attorney, Sacramento 915 I Street, 4 th Floor Sacramento, CA 95814
The Honorable Robert Holzapfel Glenn County District Attorney 540 West Sycamore Willows, CA 95988	The Honorable Gary Lieberstein Napa County District Attorney 931 Parkway Mall Napa, CA 94559	The Honorable Gerald Benito Shasta County District Attorney 1525 Court Street, Third Floor Redding, CA 96001	The Honorable Dennis J. Herrera Office of the City Attorney, San Francisco City Hall, Room 234 San Francisco, CA 94102
The Honorable Paul Gallegos Humboldt County District Attorney 825 5 th Street Eureka, CA 95501	The Honorable Michael Ferguson Nevada County District Attorney 201 Church Street, Suite 8 Nevada City, CA 95959	The Honorable Lawrence Allen Sierra County District Attorney 100 Courthouse Square, Second Floor Downsville, CA 95936	The Honorable Richard Doyle Office of the City Attorney, San Jose 200 East Santa Clara Street San Jose, CA 95113
The Honorable Gilbert Otero Imperial County District Attorney 939 West Main Street El Centro, CA 92243	The Honorable Tony Rackauckas Orange County District Attorney 401 Civic Center Drive West Santa Ana, CA 92701	The Honorable James Andrus Siskiyou County District Attorney 311 4 th Street Yreka, CA 96097	
The Honorable Arthur Maillet Inyo County District Attorney P.O. Drawer D Independence, CA 93526	The Honorable Bradford Fenocchio Placer County District Attorney 11562 B Avenue Auburn, CA 95603	The Honorable David Paulson Solano County District Attorney 675 Texas Street, Suite 4500 Fairfield, CA 94533	Office of the California Attorney General Proposition 65 Enforcement Reporting ATTN: Prop 65 Coordinator 1515 Clay Street, Suite 2000 Oakland, CA 94612-0550
The Honorable Edward R. Jägel Kern County District Attorney 1215 Truxtun Avenue Bakersfield, CA 93301	The Honorable Jeff Cunan Plumas County District Attorney 520 Main Street, Room 404 Quincy, CA 95971	The Honorable Stephan Passalacqua Sonoma County District Attorney 600 Administration Drive, Room 212J Santa Rosa, CA 95403	
The Honorable Ronald Calhoun Kings County District Attorney 1400 West Lacey Boulevard Hanford, CA 93230	The Honorable Grover Trask II Riverside County District Attorney 4075 Main Street Riverside, CA 92501	The Honorable Carol Shipley Stanislaus County District Attorney 800 11 th Street, Room 200 Modesto, CA 95353	
The Honorable Gerhard Luck Lake County District Attorney 255 North Forbes Street Lakeport, CA 95453	The Honorable Jan Scully Sacramento County District Attorney 901 G Street Sacramento, CA 95814	The Honorable Carl Adams Sutter County District Attorney 446 Second Street Yuba City, CA 95991	